

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**JORGE NAVARRETE, #R-00079,**

**Plaintiff,**

**-VS-**

**No. 02-1215-DRH**

**TIMOTHY LOVE,**

**Defendant.**

## ORDER

**HERNDON, District Judge:**

Trial in this matter concluded on May 31, 2007. Plaintiff's counsel, Michael C. Hobin, was appointed to represent Plaintiff for the limited purposes of the final pretrial conference and trial proceedings. This Order affirms the Court's oral order, following the Court's reading of the jury's verdict, withdrawing Mr. Hobin from this matter.

In addition, the Court wishes to advise Plaintiff of his appeal rights. Plaintiff, an inmate within the Illinois Department of Corrections, filed suit against Defendant alleging violations of his civil rights pursuant to **42 U.S.C. § 1983**. (Doc. 1.) The jury found in favor of Defendant. If Plaintiff wishes to appeal, under **Federal Rule of Appellate Procedure 4(a)(1)(A)**, a notice of appeal must be filed with the district court within 30 days after judgment has been entered. Furthermore, if Plaintiff intends to proceed *in forma pauperis* upon appeal, he must file a motion to proceed *in forma pauperis* on appeal, along with: 1) an

affidavit that includes a statement of all assets Plaintiff possesses, the nature of the appeal, and the affiant's belief that Plaintiff is entitled to redress. **See 28 U.S.C. § 1915(a)(1).** In addition, Plaintiff must submit a certified copy of his trust fund account statement for the 6-month period immediately preceding the filing of the notice of appeal, obtained from the appropriate official of each prison at which Plaintiff has been confined. **See 28 U.S.C. § 1915(a)(2).** However, the Court also wishes to inform Plaintiff that even if his motion to appeal *in forma pauperis* is granted, he shall still be required to pay the full filing fee over time, unless he has no assets and no means by which to pay the fee. **See 28 U.S.C. § 1915(b).**

**IT IS SO ORDERED.**

Signed this 1st day of June, 2007.

/s/ David RHerndon  
**United States District Judge**